(b) why it was omitted from the Agenda;

(c) whether they would use their emergency powers under section 15 of the Council Regulation to enforce the provisions of the Bill in view of the delay already caused?

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—(a), (b) and (c). Please see answer to Question No. 1.

Mr. K. M. Ibrahim *(Cranganur).*—Will the Hon'ble Member give one example of a non-controversial measure? It is a most obvious measure.

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—It is a matter of opinion.

The Cochin Factories Bill—consideration of.

3. **Mr. K. M. Ibrahim** *(Cranganur).*—Will the Government state the reasons why no further business, connected with the Cochin Factory Bill, was transacted in the last meeting of the Council (Budget)?

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—Legislative business of the kind is ordinarily transacted only during Legislative Sessions.

Mr. K. M. Ibrahim *(Cranganur).*—My question was whether ever before in the history of this very same Legislative Council, legislative measures were not transacted during budget sessions?

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—The answer contains a qualification, Sir. I know that legislative measures were considered during the last budget session, e.g., the Income-tax Regulation Amendment Bill and the new Municipal Bill. In the case of the Income tax Regulation Amendment Bill the budget was prepared on the basis of these amendments, so that along with the passing of the Budget the Bill had also to be passed. With regard to the new Municipal Bill the urgency was on account of the Proclamation extending the life of the Councils, so that the Bill had to be referred to a Select Committee and passed into law before the period of the Proclamation expired.

Mr. K. T. Mathew *(Kunnamkulam).*—Is this answer based on any rule or Standing Order and if so what is the provision?

Mr. T. S. Narayana Ayyar.—*(Secretary to Government)*—It is only the practice. During the budget session only the

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budget and questions arising out of the budget are ordinarily discussed.

Mr. K. T. Mathew (*Kunnamkulam*).—Is there any provision either in the Regulation or the Standing Orders?

Mr. T. S. Narayana Ayyar (*Secretary to Government*).—I do not think that there is any specific provision, but the very name Legislative Session implies that legislative business will be transacted during that session.

Mr. K. T. Mathew (*Kunnamkulam*).—It is only an interpretation of the Hon'ble Member.

Mr. T. S. Narayana Ayyar (*Secretary to Government*).—It is the practice that has generally been observed.

Mr. K. M. Ibrahim (*Cranganur*).—Is it in cases where the question of sacrifice of vested interests is concerned that this unwritten practice is followed?

Mr. K. T. Mathew *Kunnamkulam*).—Is there not a non-official day during the budget session?

Mr. T. S. Narayana Ayyar (*Secretary to Government*).—Yes.

Mr. K. T. Mathew (*Kunnamkulam*).—Is there any law restricting that no legislative business should be transacted on that day?

Mr. T. S. Narayana Ayyar (*Secretary to Government*).—I do not think that there is any law.

Mr. K. T. Mathew (*Kunnamkulam*).—From which day has the practice begun?

Mr. T. S. Narayana Ayyar (*Secretary to Government*).—From the time of the inauguration of the Council.

Mr. K. T. Mathew (*Kunnamkulam*).—From the very beginning I have been a Member of the Council and I have not come across such a practice.

Mr. T. S. Narayana Ayyar (*Secretary to Government*).—The Hon'ble Member himself knows that.

Mr. K. T. Mathew (*Kunnamkulam*).—I do not know. I asked for the opinion of the Hon'ble Member.

Mr. T. S. Narayana Ayyar (*Secretary to Government*).—I have already given my opinion.

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Mr. K. M. Ibrahim *(Cranganur)*.—May I know whether in view of the slowness of the progress of this Bill will the Government be pleased to consider the desirability of passing this Bill under emergency powers?

Mr. T. S. Narayana Ayyar *(Secretary to Government)*.—There has been no delay in the work relating to this legislation.

Mr. K. M. Ibrahim *(Cranganur)*.—There is delay.

4. **Mr. K. M. Ibrahim** *(Cranganur)*.— Adverting to Questions and Answers No. 233, in this Honourable House, dated 7th August 1935, will the Government state the steps they have taken in pursuance of their following assurance:—

"In view of the fact that the next Legislative Session comes so far beyond, will the Government consider the question whether some attempt could be made for legislation under the special powers vested in the Government".

"Government will look into the matter and do everything to expedite the same"?

Mr. T. S. Narayana Ayyar *(Secretary to Government)*.—Government introduced the Cochin Factories Bill during the next Session itself, i. e., on 11th February 1936, and it was referred to a Select Committee to report within 3 months. Due to delay on the part of a dissentient Member in submitting his separate minute the term of the Committee had to be extended and the final report was placed before Government for scrutiny only just on the eve of the last Budget Session. The next available Session for the transaction of legislative business of the kind is the present one and the Bill in question is on the Agenda of this meeting.

Mr. K. M. Ibrahim *(Cranganur)*.—Was not the report submitted long before the last budget meeting?

Mr. T. S. Narayana Ayyar *(Secretay to Government)*.—It was not done long before, but only on the eve of the last budget session.

Mr. K. M. Ibrahim *(Cranganur)*.—How many days previous?

Mr. T. S. Narayana Ayyar *(Secretary to Government)*.—Twenty days.

Mr. K. M. Ibrahim *(Cranganur)*.—What prevented the Government from introducing it in the Budget Session?

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Mr. T. S. Narayana Ayyar *(Secretary to Government).*—As I observed already, legislative business of this nature is not ordinarily transacted during the budget session. The printing of the report took also some time.

Mr. K. M. Ibrahim *(Cranganur).*—Am I right in thinking that the Government have not realised the public importance of this measure?

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—The assumption is not correct.

Mr. K. M. Ibrahim *(Cranganur).*—The point on which I want information is why in view of the definite assurance given by the Government in this Council that attempts will be made for legislation under the special powers vested in the Government they have not acted up to that assurance?

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—The assurance referred to in this question was given on 7—8—1935. The question of introducing a Bill was already engaging the attention of Government then. The draft Bill was sent for scrutiny to the Government Advocate and the District Magistrate, and the final draft was approved by Government on 10—1—1936. It was introduced in the Council and referred to a Select Committee on 11—2—1936. The Committee was to report within three months. The Hon'ble Member for Cranganur was one of the Members. The rest of Select Committee signed their report on 29-2-36, and sent it to the Hon'ble Member for Cranganur, from whom it was received back only on 14-6-1936, after repeated reminders and requests. That is the Hon'ble Member's idea of emergency.

Mr. K. M. Ibrahim *(Cranganur).*—Will I be permitted to reply to a charge levelled against me? The Hon'ble Member just now said that this Bill could not be introduced because of the delay in sending the dissenting minute. He has contradicted himself. He has just now said that there were 20 days before the budget session and during these twenty days the Bill could have been published and introduced. I had sent the report long ago.

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—Yes, the fault of Government is that they did not take the same view of urgency as the Hon'ble Member has taken.

Mr. K. M. Kunhi Moideen *(Kattur).*—Why the Government did not introduce the Bill in the Budget session?

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Mr. T. S. Narayana Ayyar *(Secretary to Government).*—I have answered that question more than once.

Mr. K. M. Kunhi Moideen *(Kattur).*—What is the nature of the measures which Government introduced during Budget sessions?

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—I have already answered that question.

Mr. K. T. Mathew *(Kunnamkulam).*— I got permission to introduce a Bill in the Budget session.

5. Mr. K. M. Kunhi Moideen *(Kattur).*—Adverting to Question No. 233 and the answer thereon in the House, dated 7th August 1935, will the Government state the steps they have taken in pursuance of their assurance:

Question:—'In view of the fact that the next Legislative Session comes so far beyond, will the Government consider the question whether some attempt could be made for legislation under the special powers vested in the Government?'

Answer:—'Government will look into the matter and do everything to expedite the same?'

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—The Member is referred to the answer to Question No. 4.

The Cochin Contempt of Courts Regulation—suspension of.

6. Mr. K. M. Ibrahim *(Cranganur).*—Will the Government state whether they intend to suspend their Regulation, XXXII of 1111, until the said Regulation will specify to the public at large the definition and scope of the term 'Contempt' in it?

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—There is no necessity to suspend the Regulation.

Mr. K. M. Ibrahim *(Cranganur).*—Is not the absence of the definition and scope of the term 'contempt' in the Regulation, a defect of the Regulation?

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—It was not considered a defect either by this House when it passed the Bill or by the Chief Court in a recent case under the Regulation.

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